

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WAYNE COATNEY,

Plaintiff,

vs.

SUPER 8 OGALLALA, a Nebraska
business entity;

Defendant.

8:15CV150

MEMORANDUM AND ORDER

On March 28, 2016 Plaintiff's counsel advised the court the plaintiff, Wayne Coatney, died in early March of 2016. (Filing No. 34). The court entered an order staying the case until May 31, 2016 and instructing plaintiff's counsel to: (1) voluntarily dismiss the case; (2) file a motion to substitute the plaintiff's estate or personal representative as the named plaintiff in the action; or, (3) file a report advising the court as to whether the plaintiff's estate intends to further litigate this action and advise the court of the current status of any court proceedings that may impact the progression of this case. (Filing No. 35). Plaintiff's counsel has failed to comply with this court's order.

Accordingly,

IT IS ORDERED:

- 1) Plaintiff's counsel is given until July 29, 2016 to show cause why the court should not dismiss this action for want of prosecution and without further notice.
- 2) The clerk shall set a case management deadline for August 3, 2016.

Dated this 8th day of July, 2016

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge